

IN RE: PETITIONS FOR SPECIAL HEARING & ZONING VARIANCE  
SW r.w. line of Baltimore National Pike, 1400 ft. +/- along said SW r.w. line from c/v Rolling Road Baltimore West Shopping Center 1st Election District  
Combined Properties, Inc. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Variance for the property known as the Baltimore West Shopping Center, located immediately adjacent to U.S. Route 40, near the Baltimore Beltway (I-695) in Catonsville. As to the Petition for Variance, relief is requested pursuant to Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 1,037 parking spaces in lieu of the required 1,211 spaces, a variance of 174 spaces. As to the Petition for Special Hearing, relief is requested to approve a modification of the parking variance and conditions previously granted and imposed in a prior case, (case No. 88-215-A), as well as the relief granted as to signage in variance case No. 88-537-A, to the extent of any conflict, if any. The relief requested is fully summarized on the respective Petitions and fully shown on the site plan, submitted and received as Petitioner's Exhibit No. 1.

Appearing at the public hearing held for this case was Joe Luce, on behalf of Combined Properties, Inc., the property owner. Also present was Charles Stark, from G.W. Stephens, Jr. and Associates, Inc., the engineering firm who prepared the site plan. Newton A. Williams, Esquire represented the Petitioner. There were no Protestants or interested persons present.

Testimony and evidence presented was that the subject site is roughly rectangular in shape and is 18.2 acres in area. It is split zoned

B.R.-C.S.2 and B.R. As noted above, the site immediately abuts the Baltimore National Pike (U.S. Route 40) from which the sole means of vehicular access is provided. The site has been in use as a shopping center for many years. Testimony and evidence was that the center opened in the late 1960s under different ownership than today. Combined Properties acquired the property several years ago. The property owner is a corporation which owns a number of shopping centers throughout the United States. The property owner has committed significant resources and greatly restored and improved the premises. Photographs of the site show that the facade of the store fronts has been improved dramatically. The fronts now have a "California style" architecture.

The matter comes before the Zoning Commissioner at this time due to two small proposed building additions. One of the additions will be to the corner of the row of stores towards the rear of the property. A second addition is proposed to a Roy Rogers Fast Food Restaurant which is located in the front of the center. Due to these improvements, the square footage of the buildings on site will be increased minimally, therefore, the requested variance and special hearing relief is necessary. The site presently houses the aforementioned Roy Rogers Fast Food Restaurant as well as a Bob's Big Boy Restaurant. The remaining portion of the site supports a number of retail uses, including an Office Depot, an F & M Health and Beauty Aids Pharmacy, a nursery and similar uses.

As to the zoning history of the site, the two restaurants were previously approved and a parking variance granted under case No. 88-215-A. It is significant that a parking variance was granted at that time which allowed a variance of 177 spaces. That is, under the present plan, the center will provide 174 spaces, fewer than required, a variance which is 3

spaces smaller than that previously granted in the prior case. Moreover, there was a prior case relating to signage (case No. 88-537-A) which permitted increased sign face area, over and above the amount allowed within the regulation.

As noted above, the present case comes before the Zoning Commissioner only because of the small additions to the Roy Rogers Restaurant and retail store on the southeast corner of the property. Uncontradicted testimony and evidence presented was that more than sufficient parking exist. Moreover, it was stated by the Petitioner's witnesses that the site has recently been repaved and striped. This improvement actually added to the number of spaces available in that the previous parking lot was not so striped and, therefore, not fully utilized.

An area variance may be granted if the Petitioner complies with Section 307 of the B.C.Z.R. This section mandates that the Petitioner must show a practical difficulty in order for the relief requested to be granted. Moreover, the relief can be granted only if in strict harmony with the spirit and intent of the regulations and if same will not be detrimental to the surrounding locale.

In applying this test to the facts presented, it is clear that the proposed variance should be granted. As noted above, it is less than what was previously approved in the prior zoning case. Moreover, the small additions to the retail areas will not generate additional traffic. The testimony was clear that the present lot is more than sufficient to accommodate the traffic produced by the uses on the site. Moreover, owing to its location, there appears to be no possibility of traffic spillage onto any residential streets or communities to the interior of the site.

As to the special hearing, same must be evaluated within the context of the standards set forth in Section 502.1 of the B.C.Z.R. Clearly, in evaluating the special hearing in that context, same should be approved. There is no evidence that the proposed uses will be detrimental to the health, safety and general welfare of the locale. Thus, the special hearing should also be granted.

It is further worth noting that the relief granted herein is not tied to the specific tenants presently within the center. That is, the relief granted herein will permit a variance of 174 parking spaces. The Petitioner need, obviously, recalculate the parking requirements in the event tenants leave the premises and are replaced by other retail uses. However, for so long as the total parking count requirement is within the 174 space tolerance permitted by the variance, no specific tenant mix shall be accessory.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 16<sup>th</sup> day of February 1994, that a Petition for Zoning Variance from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 1,037 parking spaces in lieu of the required 1,211 spaces, a variance of 174 spaces, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to a Petition for Special Hearing relief is requested to approve a modification of the parking variance and conditions previously granted and imposed in a prior case, (case No. 88-215-A), be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 7, 1994

Newton A. Williams, Esquire  
700 Court Towers  
210 W. Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variances  
Case No. 94-243-SPHA  
Combined Properties, Inc., Petitioner

Dear Mr. Williams:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.  
cc: Mr. J. Luce, Combined Properties, Inc.  
1899 L Street, N.W., Suite 900, Washington D.C. 70036

Petition for Special Hearing  
to the Zoning Commissioner of Baltimore County  
for the property located at Baltimore West Shopping Center  
Route 40 West

94-243-SPHA  
This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a modification of the parking variance and conditions granted and imposed in Case No. 88-215A, as sought in the companion Petition for Variances, as well as sign Variance Case 88-537A to the extent of any conflict, if any.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:  
Type or Print Name  
Signature  
Address  
City  
State  
Zip  
Legal Owner(s):  
Type or Print Name  
Signature  
Address  
City  
State  
Zip  
1899 L Street, N.W.; 1-202-293-4500  
Washington, D.C. 20003  
Newton A. Williams, Esquire  
700 Court Towers  
210 W. Pennsylvania Avenue; 823-7800  
Towson, Maryland 21204  
Newton A. Williams, Esquire  
700 Court Towers  
210 W. Pennsylvania Avenue; 823-7800  
Towson, Maryland 21204  
ESTIMATED LENGTH OF HEARING: 2 hrs  
The following date: 12/10/92  
ALL: 12/10/92  
RECEIVED BY: 12/10/92

Petition for Variance  
to the Zoning Commissioner of Baltimore County  
for the property located at Baltimore West Shopping Center  
Route 40 West

94-243-SPHA  
This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.6 of the Zoning Regulations of Baltimore County, to permit 1037 spaces in lieu of the required 1211 spaces, a variance of 174 spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)  
See attached.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:  
Type or Print Name  
Signature  
Address  
City  
State  
Zip  
Legal Owner(s):  
Type or Print Name  
Signature  
Address  
City  
State  
Zip  
1899 L Street, N.W.; 1-202-293-4500  
Washington, D.C. 20003  
Newton A. Williams, Esquire  
700 Court Towers  
210 W. Pennsylvania Avenue; 823-7800  
Towson, Maryland 21204  
Newton A. Williams, Esquire  
700 Court Towers  
210 W. Pennsylvania Avenue; 823-7800  
Towson, Maryland 21204  
ESTIMATED LENGTH OF HEARING: 2 hrs  
The following date: 12/10/92  
ALL: 12/10/92  
RECEIVED BY: 12/10/92

ATTACHMENT  
PETITION FOR VARIANCE  
REASONS  
94-243-SPHA

1. That the center has no major tenants which are major holiday traffic draws.
2. That in Case No. 88-215A a 177 space variance was granted with conditions inconsistent with this lesser request.
3. That the two (2) restaurants allowed in Case No. 88-215A were never actually utilized.
4. That Combined Properties, Inc., has repeatedly upgraded this older, original GEM Store Center, and this variance, primarily to allow a small restaurant expansion, and a better laid out, safer and more useable layout will help to assure the continued economic health of this older, upgraded center.
5. That without the requested variance, the Petitioner will sustain practical difficulty and unreasonable hardship, and the requested variance will actually foster the health, safety and welfare of the area involved.

5939C

244

FROM THE OFFICE OF  
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.  
ENGINEERS  
100 KENNEDY DRIVE, SUITE 100, TOWSON, MARYLAND 21204

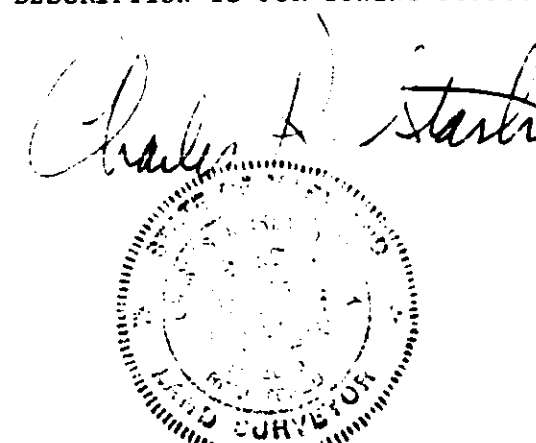
Description to Accompany  
Petition for Variance. 94-243-SPHA November 18, 1993

Beginning for the same on the southwest right-of-way line of Baltimore National Pike (U.S. 40) distant 1900 feet more or less measured along the said southwest right-of-way line from the center of Rolling Road thence

- 1 - South 28° 49' 44" West 957.50 feet
- 2 - North 62° 53' 33" West 764.00 feet
- 3 - North 25° 18' 12" East 399.83 feet
- 4 - North 63° 29' 18" West 110.00 feet
- 5 - North 26° 25' 01" East 554.15 feet to the southwest right-of-way line of Baltimore National Pike thence binding on said right-of-way line the two following courses and distances
- 6 - Southeasterly by a line curving to the east with a radius of 8105.97 feet for an arc distance of 394.53 feet (the chord of said arc being South 62° 22' 20" East 394.49 feet) and
- 7 - South 63° 46' 00" East 527.61 feet to the place of beginning.

Containing 18.65 acres more or less.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY.



CERTIFICATE OF POSTING  
EDMUND DEPARTMENT OF BALTIMORE COUNTY  
TOWSON, MARYLAND

District: 1st Date of Posting: 11/18/93

Posted to: Special Hearing & Variance

Petitioner: Combined Properties, Inc.

Location of property: Baltimore West Shopping Center

Location of Signs: 15111 N. Pike - 54 ft

Location of Signs: 15111 N. Pike - 54 ft

Remarks:

Posted by: [Signature] Date of return: 11/18/93

Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD. Dec. 30, 1993

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec. 30, 1993.

THE JEFFERSONIAN,  
A. Henrichsen  
LEGAL AD. - TOWSON  
Publisher

receipt

Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Date: 12/10/93 94-243-SPHA

Combined Prop. Inc. - Baltimore West Shopping Ctr. Taken by [Signature]

020 VARIANCE --- \$ 150.00  
040 SPECIAL HEARING --- \$ 250.00  
080 SIGNS (2) \$ 70.00  
\$ 570.00

Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

94-243-SPHA

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES (410) 887-3353

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]  
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 244

Petitioner: Combined Properties, Inc.

Location: Baltimore West Shopping Center, 15111 N. Pike, Baltimore National Pike

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Newton A. Williams

ADDRESS: 700 Court Towers, 210 N. Penn Ave. Towson, Maryland 21204

PHONE NUMBER: 883-7800

AD:qgs (Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY  
December 30, 1993 Issue - Jeffersonian

Please forward Billing to:

Newton A. Williams, Esq.  
700 Court Towers  
210 N. Pennsylvania Avenue  
Towson, Maryland 21204  
410-823-7800

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-243-SPHA (Item 244)  
Baltimore West Shopping Center (1/4 x 40 West Plaza  
SW r/w line of Baltimore National Pike, 1900' +/- along said SW r/w line from c/l of Rolling Road  
1st Election District - 1st Councilmanic  
Petitioner(s): Combined Properties, Inc.  
HEARING: THURSDAY, JANUARY 20, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.

Special Hearing to approve a modification of the parking variance and conditions granted and imposed in case 88-215-A, as sought in the companion petition for variances, as well as sign variance case 88-537-A to the extent of any conflict, if any.  
Variance to permit 1,037 spaces in lieu of the required 1,211 spaces.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

DECEMBER 22, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-243-SPHA (Item 244)  
Baltimore West Shopping Center (1/4 x 40 West Plaza  
SW r/w line of Baltimore National Pike, 1900' +/- along said SW r/w line from c/l of Rolling Road  
1st Election District - 1st Councilmanic  
Petitioner(s): Combined Properties, Inc.  
HEARING: THURSDAY, JANUARY 20, 1994 at 2:00 p.m. in Rm. 118, Old Courthouse.

Special Hearing to approve a modification of the parking variance and conditions granted and imposed in case 88-215-A, as sought in the companion petition for variances, as well as sign variance case 88-537-A to the extent of any conflict, if any.  
Variance to permit 1,037 spaces in lieu of the required 1,211 spaces.

[Signature]  
Arnold Jablon  
Director

cc: Combined Properties, Inc.  
Newton A. Williams, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

January 10, 1994

Newton A. Williams, Esquire  
Nolan, Plumbhoff & Williams, Chartered  
700 Court Towers  
210 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Case No. 94-243-SPHA, Item No. 244  
Petitioner: Combined Properties, Inc.  
Petitions for Special Hearing and Variance

Dear Mr. Williams:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on December 10, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: December 27, 1993  
Zoning Administration and Development Management

FROM: Robert W. Bowling, Senior Engineer  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for December 27, 1993  
Item No. 244

The Developers Engineering Section has reviewed the subject zoning item. We recommend requiring streetscape landscaping along Baltimore National Pike to the extent possible.

RWB:s



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

12-22-93

Ms. Charlotte Minton  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 1244 (JJS/JRF)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

DAVID N. RAYEN, ACTING CHIEF  
John Contestabile, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 22, 1993  
Zoning Administration and  
Development Management

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Items No. 226, 227, 238, 234, 237, 238, 239, 240, 242, and 244

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kern

PK/JL:lw

ZAC.226/PZONE/ZAC1

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: COMBINED PROPERTIES, INC.

LOCATION: SW RIGHT-OF-WAY LINE OF BALTIMORE NATIONAL PK., 1900' +/- ALON  
SAID SW RIGHT-OF-WAY LINE FROM CENTERLINE ROLLING RD.  
(BALTIMORE WEST SHOPPING CENTER)  
Item No.: 244 (JJS/JRF) Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

RECEIVED  
DEC 28 1993  
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Prevention, PHONE 887-4881, MS-1102F

cc: File  
Printed on Recycled Paper

Newton A Williams

Joe. Luce - 94-243-SPHA  
Chas. Stark

Special Hearing -  
Variance -

Down the street from Rolling Rd  
off the 10 W

Shopping th - built out

opened late 60's - MEM store

Combined Properties - has property  
in it of states has  
40 some acres

F.M. Drug Outlet, Pet Store,

6th St - Menos - then others

Nog's Rogers

88-537-A

late 1980's -

California architectural -

88-537-A - proposed 2 restaurants  
1/14/88  
variance 1070 for 1267

- restricted to uses

- 2 restaurants never put in -

log house will add small addition

See Pet. No. 11

lot was not shaped - only 200  
spaces

would operate -

Sign case - old signs replaced  
and then have been  
replaced

Signs of footage  
Still up in the tolerance

Center has dramatically

site slopes down - tough to  
landscape -

OK to grant

No restrictions

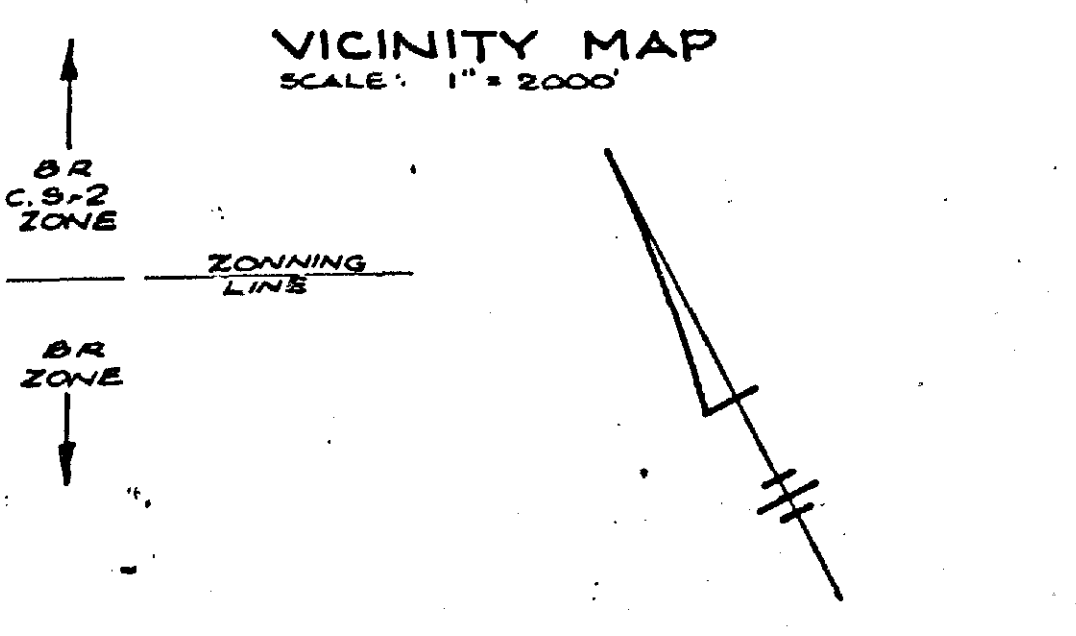
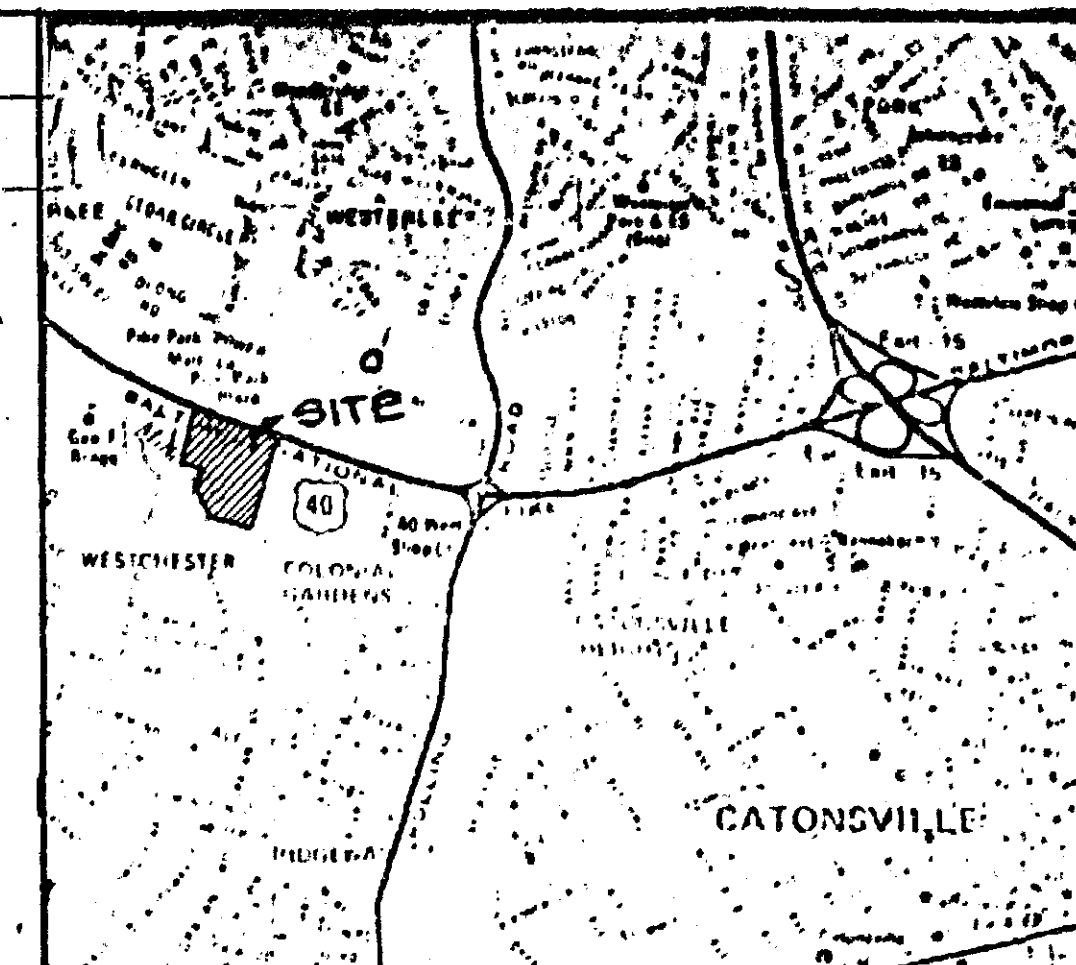
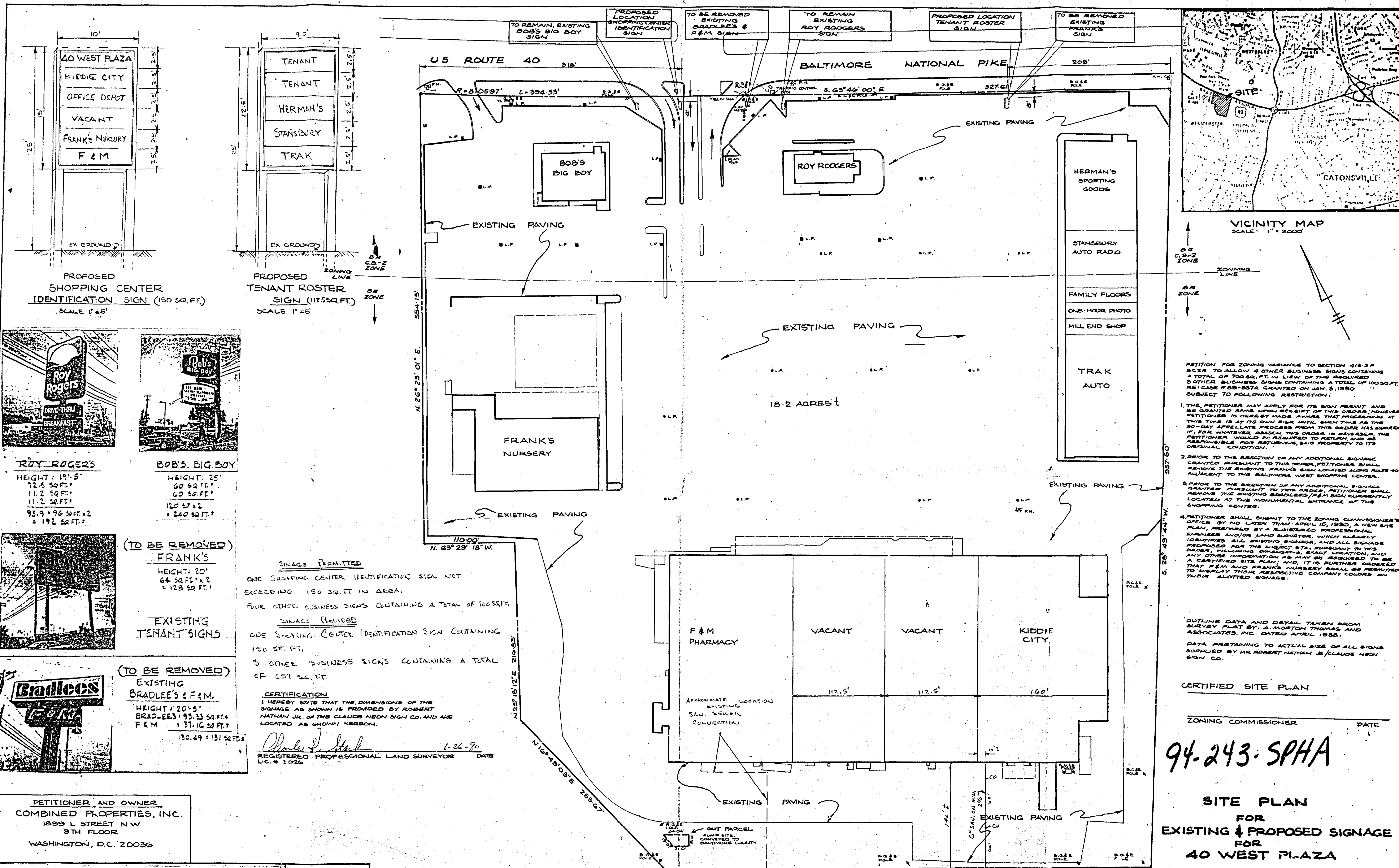
has been under

Tenants will change -









PETITION FOR ZONING VARIANCE TO SECTION 413-2 F  
BCR TO ALLOW 4 OTHER BUSINESS SIGNS CONTAINING  
A TOTAL OF 700 SQ. FT. IN LIEU OF THE ASSUMED  
3 OTHER BUSINESS SIGNS CONTAINING A TOTAL OF 1000 SQ. FT.  
RE: CASE #65-557A GRANTED ON JAN. 3, 1950  
SUBJECT TO FOLLOWING RESTRICTIONS:

1. THE PETITIONER MAY APPLY FOR ITS SIGN PERMIT AND  
BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER,  
PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT  
THIS TIME IS AT ITS OWN RISK UNTIL SUCH TIME AS THE  
30-DAY APPEAL PROCESS FROM THIS ORDER HAS BEEN  
IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE  
PETITIONER SHALL BE REQUIRED TO RETURN AND BE  
RESPONSIBLE FOR RETURNING SAID PROPERTY TO ITS  
ORIGINAL CONDITION.
2. PRIOR TO THE ERECTION OF ANY ADDITIONAL SIGNAGE  
GRANTED PURSUANT TO THIS ORDER, PETITIONER SHALL  
REMOVE THE EXISTING FRANK'S SIGN LOCATED ALONG ROUTE 40  
ADJACENT TO THE BALTIMORE WEST SHOPPING CENTER.
3. PRIOR TO THE ERECTION OF ANY ADDITIONAL SIGNAGE  
GRANTED PURSUANT TO THIS ORDER, PETITIONER SHALL  
REMOVE THE EXISTING BRADLEE'S/F&M SIGN CURRENTLY  
LOCATED AT THE MONUMENTAL ENTRANCE OF THE  
SHOPPING CENTER.
4. PETITIONER SHALL SUBMIT TO THE ZONING COMMISSIONER'S  
OFFICE BY NO LATER THAN APRIL 15, 1950, A NEW SITE  
PLAN, PREPARED BY A REGISTERED PROFESSIONAL  
ENGINEER AND/OR LAND SURVEYOR, WHICH CLEARLY  
IDENTIFIES ALL EXISTING SIGNAGE, AND ALL SIGNAGE  
PROPOSED FOR THE SUBJECT SITE, PURSUANT TO THIS  
ORDER. SIGNAGE DIMENSIONS, EXACT LOCATION, AND  
CERTIFIED SITE PLAN, AS MAY BE REQUIRED TO BE  
THAT F&M AND FRANK'S NURSERY SHALL BE PERMITTED  
TO DISPLAY THEIR RESPECTIVE COMPANY LOGOS ON  
THEIR ALLOTTED SIGNAGE.

OUTLINE DATA AND DETAIL TAKEN FROM  
SURVEY PLAT BY: A. MORTON THOMAS AND  
ASSOCIATES, INC. DATED APRIL 1955.  
DATA PERTAINING TO ACTUAL SIZE OF ALL SIGNS  
SUPPLIED BY MR. ROBERT NATHAN JR./CLAUDE NEON  
SIGN CO.

CERTIFIED SITE PLAN  
ZONING COMMISSIONER DATE

94-243-SPHA

SITE PLAN  
FOR  
EXISTING & PROPOSED SIGNAGE  
FOR  
40 WEST PLAZA

1ST ELECTION DISTRICT BALTIMORE COUNTY, M.D.  
SCALE: 1"=50'

DATE: 1-26-90  
3-9-90-ALBEO ESW  
CCL-K1024 CITY

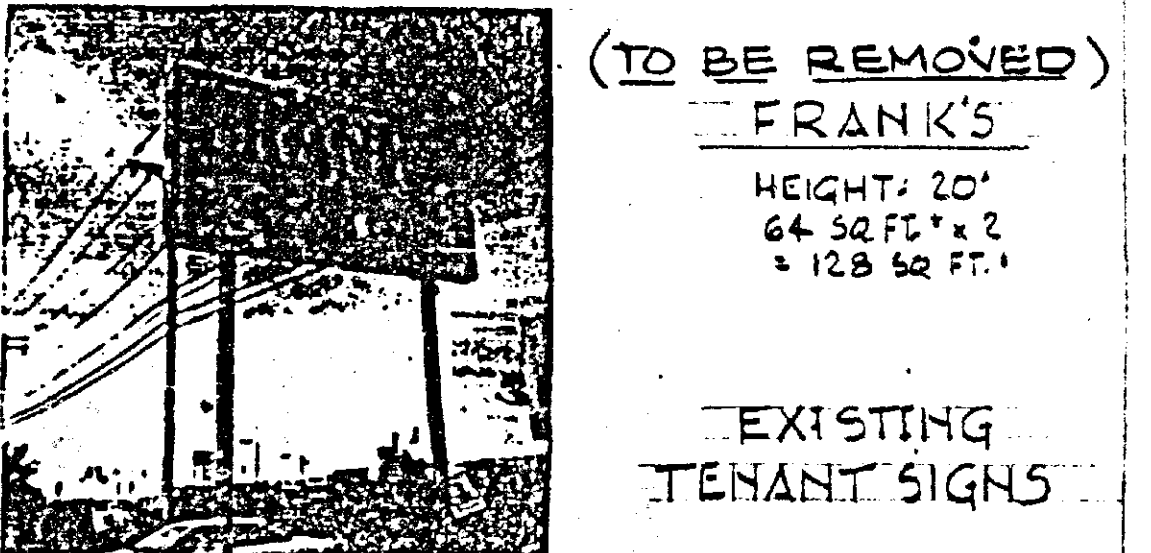
PETITIONER'S  
EXHIBIT No. 1

PN 5394



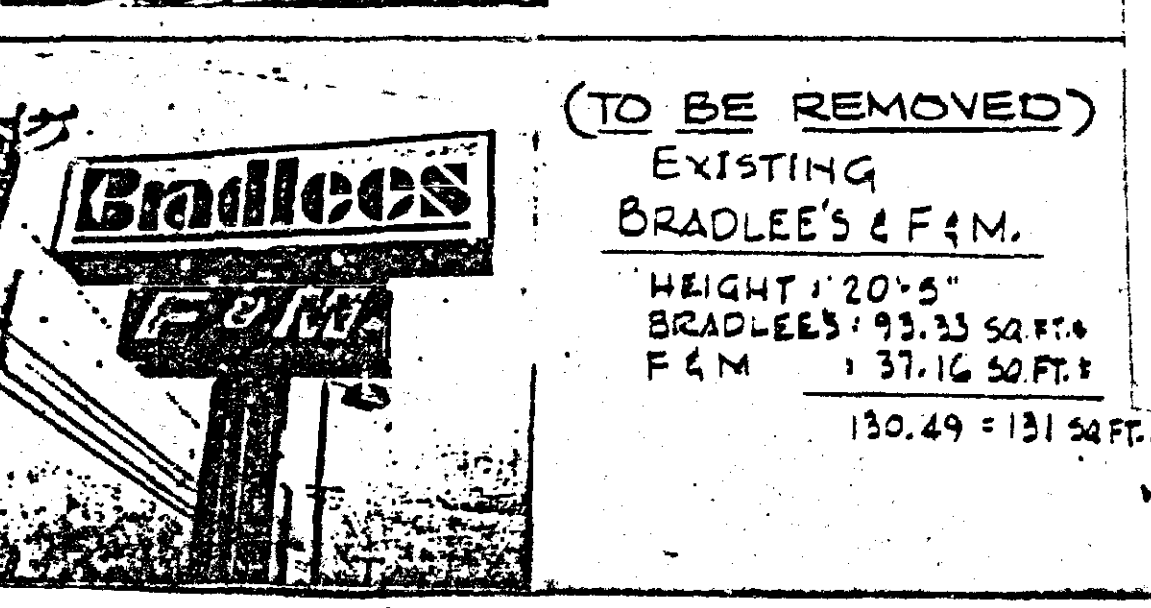
ROY ROGERS  
HEIGHT: 19'5"  
72.5 SQ. FT.  
11.2 SQ. FT.  
11.2 SQ. FT.  
93.9 x 96 SQ. FT. x 2  
= 192 SQ. FT.

BOB'S BIG BOY  
HEIGHT: 25'  
60 SQ. FT.  
60 SQ. FT.  
120 SF. x 2  
= 240 SQ. FT.



(TO BE REMOVED)  
FRANK'S  
HEIGHT: 20'  
64 SQ. FT. x 2  
= 128 SQ. FT.

EXISTING  
TENANT SIGNS



(TO BE REMOVED)  
EXISTING  
BRADLEE'S F&M  
HEIGHT: 20'5"  
BRADLEE'S: 93.33 SQ. FT. x 2  
F&M: 37.16 SQ. FT. x 2  
130.49 = 131 SQ. FT.

PETITIONER AND OWNER  
COMBINED PROPERTIES, INC.  
1899 L STREET N.W.  
9TH FLOOR  
WASHINGTON, D.C. 20036

GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES, INC.  
CIVIL ENGINEERS & LAND SURVEYORS  
658 KENILWORTH DRIVE, SUITE 100  
TOWSON, MARYLAND 21204  
(301) 825-8120

SIGNAGE PERMITTED  
ONE SHOPPING CENTER IDENTIFICATION SIGN NOT  
EXCEEDING 150 SQ. FT. IN AREA.  
FOUR OTHER BUSINESS SIGNS CONTAINING A TOTAL OF 700 SQ. FT.

SIGNAGE PROHIBITED  
ONE SHOPPING CENTER IDENTIFICATION SIGN CONTAINING  
150 SQ. FT.  
3 OTHER BUSINESS SIGNS CONTAINING A TOTAL  
OF 651 SQ. FT.

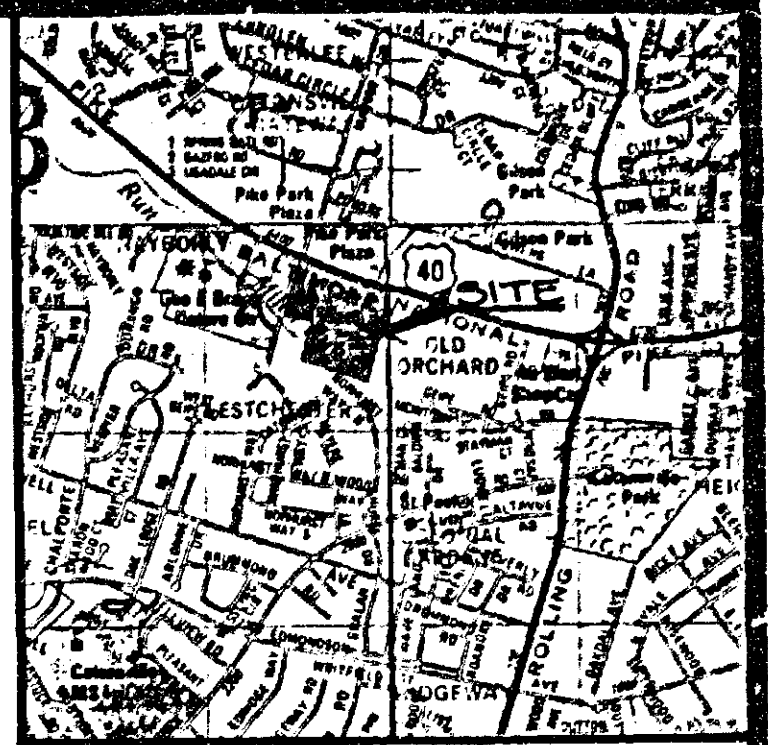
CERTIFICATION  
I HEREBY STATE THAT THE DIMENSIONS OF THE  
SIGNAGE AS SHOWN IS PROVIDED BY ROBERT  
NATHAN JR. OF THE CLAUDE NEON SIGN CO. AND ARE  
LOCATED AS SHOWN HEREON.

Charles J. Stark  
REGISTERED PROFESSIONAL LAND SURVEYOR  
LIC. # 2026  
1-26-90  
DATE

3-15-90-ADDED APPROX. LOC. SAN. COUNT. F&M. PER JANE MOORE



# BALTIMORE 150' R/W NATIONAL PIKE



OWNER  
40 WEST PLAZA PARTNERSHIP  
3706 LORD BALTIMORE DRIVE  
BALTIMORE, MD 21202  
FORMERLY  
HENRY L. WISSEL  
LIBER 1334, FOLIO 05

NOTE:  
PARKING SPACES AND BUILDING LOCATIONS ARE AS SHOWN  
ON PLAN DATED AUGUST 4, 1993 (REVISED). TITLED  
"LOCATION OF IMPROVEMENTS - BALTIMORE WEST  
SHOPPING CENTER" AND PREPARED BY A. MORTON THOMAS  
AND ASSOC. INC.

94-243-SPHA

## SITE DATA

AREA - 18.65 ACRES ±

ZONE BR

TENANT	PARKING TABULATION	SPACES REQUIRED
HERMAN'S SPORT	9907 SF / 200	50
RYAN MAWR STEREO	6304 SF / 200	32
EVERTEK COMPUTERS	1801 SF / 200	9
ONE HOUR PHOTO	1801 SF / 200	9
SALLY BEAUTY SUPPLY	1801 SF / 200	9
TRAC AUTO	7205 SF / 200	36
CAROLINA FITNESS	1511 SF / 200	8
EASTERN MORTGAGE	1351 SF / 200	7
DIMITRIS FAMILY HAIR	1351 SF / 200	7
PIZZABOLIS CARRY-OUT	1801 SF / 200	9
FRANK'S NURSERY	39065 SF / 200	220
F & M PHARMACY	38660 SF / 200	194
PET STUFF	28541 SF / 200	143
OFFICE DEPOT	28541 SF / 200	143
KIDDIE CITY	37355 SF / 200	187
PROPOSED ADDITION	1785 SF / 200	9
BOB'S BIG BOY	4700 SF / 50	94
ROY ROGERS	2890 SF / 50	56
PROPOSED ADDITION	442 SF / 50	9
TOTAL AREA - 217641 SF		
PARKING REQUIRED - 1211 SPACES		
PARKING PROVIDED - 1617 SPACES		
TOTAL - 174 SPACES		
TYPICAL SPACE - 9' X 18'		
HANDICAP SPACES REQUIRED - 22 SPACES		
HANDICAP SPACES PROVIDED - 27 SPACES		
TYPICAL HANDICAP SPACE - 12' X 18'		

VARIANCE REQUESTED TO "SECTION 465.6 TO PERMIT A PARKING VARIANCE OF 174 SPACES AND TO ALLOW A TOTAL NUMBER OF SPACES OF 1037 IN LIEU OF THE REQUIRED 1211 SPACES."  
SEE ZONING CASE NO. 88-215A & CASE NO. 88-537A

## PLAN TO ACCOMPANY PETITION FOR PARKING VARIANCE BALTIMORE WEST SHOPPING CENTER (40 WEST PLAZA)

1 ST ELECTION DISTRICT  
SCALE: 1" = 50'  
BALTIMORE COUNTY, MD.  
DATE: NOVEMBER 23, 1993

OWNER:  
PEP BOYD, MANNY, MOE & JACK  
3111 WEST ALLEGHENY AVE.  
PHILADELPHIA, PA 19132

COMBINED PROPERTIES  
LIMITED PARTNERSHIP  
LIBER 6409 FOLIO 108

FORMERLY  
BALTIMORE GEM, INC.

OWNER:  
ARTHUR R. SHAW  
PARTNERSHIP  
LIBER 6921  
FOLIO 3423  
FORMERLY  
LEO GOODWIN, JR.  
LIBER 4053 FOLIO 226

PETITIONER  
COMBINED PK. PROPERTIES, INC.  
1800 L STREET NW  
7TH FLOOR  
WASHINGTON, DC 20036

GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES, INC.  
CIVIL ENGINEERS & LAND SURVEYORS  
658 KENILWORTH DRIVE, SUITE 100  
TOWSON, MARYLAND 21204  
(410) 825-8120

OWNER:  
ARTHUR R. SHAW, JR. & III  
3111 WEST ALLEGHENY AVE.  
PHILADELPHIA, PA 19132

FORMERLY  
ARTHUR R. SHAW, JR.  
LIBER 1663 FOLIO 28

GARYWOOD SUBDIVISION - SECTION 2  
PLAT BOOK 50 - PLAT NO. 44 & PLAT BOOK 50 - PLAT NO. 129  
FORMERLY  
TOWN OF THE MOUNTAIN (WILLS, JR.)  
EDMUND WALL PARK & ASSOCIATES  
66-110-3





PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'	CATONSVILLE	SW 2-G
DATE OF PHOTOGRAPHY		
JANUARY 1986		

PETITIONER'S  
EXHIBIT #2